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SUBJECT: MP RANJBAR ON PRESIDENTIAL CONTINUITY

¶1. (SBU) Lower House MP Kabir Ranjbar (Kabul, Pashtun), one of the few professional lawyers in Parliament, told the Charge on 3/7 he believes Parliament can work with President Karzai to find a legal solution to the post-5/22 executive authority issue that both protects the 8/20 election date and maintains Karzai's status as president during the interim period between the constitutional expiration of Karzai's term and the inauguration of the next president. Ranjbar asserted that a state of emergency, as defined in Article 143 of the Constitution, will provide sufficient legal cover to extend the president's authority after 5/22 and avoid extra-constitutional proposals for a caretaker government or Loya Jirga. He believed Afghans would tolerate limitations on personal freedoms for a short time in exchange for the stability of a Karzai-led government through the elections.

¶2. (SBU) Ranjbar said pro-democracy MPs wanted to avoid extra-legal options and respect the Constitution, which left a state of emergency as their only choice. Upper House Speaker Mojaddedi had very little support among other MPs to serve as a caretaker leader, while a traditional Loya Jirga would empower unelected mujahideen over the institution of Parliament. Ranjbar believed the 90-plus "democratic" MPs in the Lower House would be able to work with independents and pass a state of emergency resolution, even if Speaker Qanooni and the 60-70 MPs loyal to his United Front coalition tried to block it. If Karzai committed himself to working with MPs on a state of emergency resolution, Ranjbar predicted the Palace and Parliament could reach an agreement by the end of March.

¶3. (SBU) The Charge told Ranjbar the U.S. welcomed support for the 8/20 election date and believes Karzai should remain president during the interim period to maintain a stronger central government that is better capable of resisting increased Taliban attacks over the summer month. Ranjbar told the Charge he did not support Karzai's re-election, but agreed the country would be best served by a stable government led by the incumbent over the summer. He said it was in Parliament's best interests to act in coordination with the president, lest Karzai turn to an extra-legal option that would subvert the role of Parliament.
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